

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ELISEE EUGENE,

Plaintiff,

v.

Case No. 23-C-487

JUDGE MICHELLE HAVAS,

Defendant.

ORDER

On September 20, 2023, plaintiff Elisee Eugene who is confined at Mendota Mental Health Institute, filed a “Complaint of Misconduct and/or Disability”. (ECF No. 1.) This appears to be a complaint under the Judicial Conduct and Disability Act of 1980, 28 U.S.C. §§ 351-364, that Eugene is trying to bring against Wisconsin State Court Judge Michelle Havas. The Judicial Conduct and Disability Act applies only to federal court judges, and Judge Havas is not a federal court judge. Also, such a complaint is not a lawsuit, but a judicial complaint that this court has no authority to address.

As such, because this complaint was filed erroneously, the case will be dismissed. Additionally, Eugene’s initial partial filing fee will be refunded because it never should have been assessed.

IT IS THEREFORE ORDERED that this case is **DISMISSED** because it is not a lawsuit.

IT IS FURTHER ORDERED that the Clerk of Court’s office terminate any pending motions and refund the \$35.00 initial partial filing fee, as well as any other payments Eugene made towards the filing fee assessed in this case. No additional fees shall be collected.

IT IS FURTHER ORDERED that a copy of this order be sent to the official in charge of the institution where Eugene is confined.

Dated at Green Bay, Wisconsin this 27th day of October, 2023.

s/ William C. Griesbach

William C. Griesbach
United States District Judge